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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/603,296	06/25/2003	Jean Pierre Giraud	62496-010201 62501.010401

32361  
GREENBERG TRAURIG, LLP  
885 3RD AVENUE  
NEW YORK, NY 10022



CONFIRMATION NO. 3244

## FORMALITIES LETTER



\*OC000000010888287\*

Date Mailed: 09/17/2003

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- \$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Adjustment date: 02/17/2004 SDIRETA1  
12/23/2003 UEDUVIJE 00000008 501561 10603296  
01 FC:1031 130.00 CR

02/17/2004 SDIRETA1 00000009 501561 10603296  
01 FC:2051 65.00 DA

11/25/2003 LWDJH1 00000110 501561 10603296  
65.00 DA  
150231 10

**GREENBERG**  
ATTORNEYS AT LAW  
**TRAURIG**

**Transmittal Cover Sheet**

**TO** Finance Department-Refunds. **Company** U.S. Patent Office

**Fax Number** 1-703-308-5077 or 6778 **Phone Number** 1-703-305-4229

**FROM** Randi Flamenbaum-Legal Assistant-Direct Dial 212-801-2242

**File Number** U.S. Patent Appln. 10/603,296-A MOISTURE-PROOF RESEALABLE NON-CYLINDRICAL CONTAINER FOR CONSUMER PACKAGES  
Our Ref. No.: 62501.010401

**Comments** Dear Sirs:

Attached please find a copy of our fee transmittal of November 17, 2003 when filing a response to missing parts, dated 9/17/03 to which the response was timely filed on 11/17/03, requesting the withdrawal of \$65.00 from Deposit Account 501561 for late filing fee for oath under small entity. The Patent Office Deducted a further \$65.00 to show the fees deducted to be \$130 as if it were a large entity.

Since our client qualified as a small entity on August 26, 2003, please provide us with a refund of \$65 so that the fees deducted from our deposit account number 501561 will only show the deduction of \$65 and not \$130.

Kindly confirm receipt of this transmission advising that you will proceed accordingly.

My direct phone is 212-801-2242, if you have any questions.

Thank you for your assistance in this matter.

*Randi Flamenbaum*  
Randi Flamenbaum  
Legal Assistant  
e-mail: flamenbaumr@gtlaw.com

**Date** January 27, 2004  
**Time** 12:45 pm  
**No. Pages** Including this cover sheet 2

Please notify us immediately if not received properly at 212-801-2100.

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726748v

Document Date: 02/17/2004 SDIRETAT 10603296  
 12/17/2003 URGENT 00000008 501561  
 01 01001 130.00 CR

PTO/SB/17 (10-03)

Approved for use through 07/31/2006, OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL  
for FY 2004**

Effective 10/01/2003, Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** 65**Complete If Known**

Application Number	10/603,298
Filing Date	June 25, 2003
First Named Inventor	Jean Pierre Giraud, et al
Examiner Name	To Be Assigned
Art Unit	3727
Attorney Docket No.	62501.010401

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:

Deposit Account Number

501561

Deposit Account Name

GREENBERG TRAURIG LLP.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee in the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

**SUBTOTAL (1) (\$)****2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	20** =	X	
Multiple Dependent Claims	3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 85	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 66	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2) (\$)**

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65		Surcharge - late filing fee or oath	65
1052 50	2052 25		Surcharge - late provisional filing fee or cover sheet	
1053 130	2053 130		Non-English specification	
1812 2,520	1812 2,520		For filing a request for ex parte reexamination	
1804 820*	1804 920*		Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*		Requesting publication of SIR after Examiner action	
1251 110	2251 55		Extension for reply within first month	
1252 420	2252 210		Extension for reply within second month	
1253 950	2253 475		Extension for reply within third month	
1254 1,480	2254 740		Extension for reply within fourth month	
1255 2,010	2255 1,005		Extension for reply within fifth month	
1401 330	2401 165		Notice of Appeal	
1402 330	2402 165		Filing a brief in support of an appeal	
1403 290	2403 145		Request for oral hearing	
1451 1,510	1451 1,510		Petition to institute a public use proceeding	
1452 110	2452 55		Petition to revive - unavoidable	
1453 1,330	2453 665		Petition to revive - unintentional	
1501 1,330	2501 665		Utility issue fee (or reissue)	
1502 480	2502 240		Design issue fee	
1503 640	2503 320		Plant issue fee	
1480 130	1480 130		Petitions to the Commissioner	
1807 50	1807 50		Processing fee under 37 CFR 1.17(q)	
1808 180	1808 180		Submission of Information Disclosure Stmt	
8021 40	8021 40		Recording each patent assignment per property (times number of properties)	
1809 770	2809 385		Filing a submission after final rejection (37 CFR 1.129(e))	
1810 770	2810 385		For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385		Request for Continued Examination (RCE)	
1802 900	2802 450		Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) (\$)** 65**SUBMITTED BY**

Name (Print/Type) Barry J. Schindler

Signature *Barry J. Schindler*

Registration No. (Attorney/Agent)

32,838

(Complete if applicable)

Telephone 212-801-224

Date 11/17/2003

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

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